

STAFF REPORT

DATE: February 28, 2018

TO: Board of Adjustment

FROM: Zoning Administration
Planning & Development
Services Department

ACTIVITY NO. T18SA00021

**C10-18-01 SIDES RESIDENCE DETACHED ACCESSORY STRUCTURE /
STEVEN G AND FRANCINE M SIDES / 518 SOUTH PLACITA
QUINCE, RX-1**

The applicants' property is an approximately 36,007 square foot lot zoned RX-1 "Residential" and is developed with a single-family residence and detached garage. The applicants propose to construct an 864 square foot detached accessory structure in the rear yard.

THE APPLICANTS' REQUEST TO THE BOARD

The applicants are requesting the following variance:

- 1) Allow the combined total gross floor area of all accessory structures (200 square feet or larger) to exceed 50% of the combined total gross floor area of the principal structure, all as shown on the submitted plans.

APPLICABLE TUCSON ZONING CODE SECTIONS

Tucson *Unified Development Code (UDC)* sections applicable to this project include, in part, the following:

Section 4.7.6 *Residence Zone (RX-1)* and Table 4.8-1 *Permitted Uses – Rural and Suburban Residential Zones*, which provides the use criteria in the RX-1 zone; and

Section 6.6.3 *Specifically Within Residential Zones*, which provides standards applicable to all accessory structures.

GENERAL DEVELOPMENT INFORMATION

Zoning and Land Use

SITE: ZONED RX-1; (single-family residential)

North: Zoned RX-1; (single-family residential)

South: Zoned RX-1; (single-family residential)

East: Zoned RX-1; (single-family residential)

West: Zoned RX-1; (single-family residential)

RELATED PLAN REVIEWS

Engineering

The Engineering Section of Planning and Development Services Department has no comments at this time.

BOARD OF ADJUSTMENT FINDINGS

The Board of Adjustment can hear and decide a variance request from the regulations listed in the Unified Development Code. The Board may grant a variance only if it finds the following:

1. That, because there are special circumstances applicable to the property, strict enforcement of the UDC will deprive such property of privileges enjoyed by other property of the same classification in the same zoning district.
2. That such special circumstances were not self-imposed or created by the owner or one in possession of the property.
3. That the variance granted is subject to such conditions as will assure that the adjustment authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is located.
4. That, because of special circumstances applicable to the property, including its size, shape, topography, location, and surroundings, the property cannot reasonably be developed in conformity with the provisions of the UDC.
5. That the granting of the variance will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.
6. That the proposed variance will not impair an adequate supply of light and air to adjacent property, substantially increase congestion, or substantially diminish or impair property values within the neighborhood.
7. That the variance, if granted, is the minimum variance that will afford relief and is the least modification possible of the UDC provisions which are in question.

ZONING ADMINISTRATION CONSIDERATIONS

The applicants' property is an approximately 36,007 square foot lot zoned RX-1 "Residential" and is developed with a single-family residence and detached garage. The applicants propose to construct an 864 square foot detached accessory structure in the rear yard. The proposed construction triggers compliance with Tucson *Unified Development Code* (UDC) sections applicable to the new construction.

Detached Accessory Structure

Per *UDC* Section 6.6.3, the total gross floor area (gfa) of all accessory structures (200 square feet or larger) shall not exceed 50% of the total gfa of the principal structure. The total gfa of the principal structure (dwelling unit) is 2,620 square feet. The proposed 864 square foot detached accessory structure in addition to the existing 720 square foot detached garage will result in a total gfa of 1,348 square feet for all detached accessory structures (200 square feet or larger) or 51% of the total gfa of the principal structure.

Discussion

The property is located in a low-density residential neighborhood consisting of 36,000 + square foot lots. The applicants' property is developed with a single-family residence and detached garage. The proposed 864 square foot accessory structure will be located behind the garage in compliance with perimeter yard setbacks and height restrictions. Attaching the proposed structure to the residence would eliminate the need for a variance, however, based on the layout of the home and existing conditions, it would not be logical.

The purpose of the building is to provide storage and to function as a hobby shop for model trains. The desired space will accommodate the minimum size for train layouts (Lionel O-27 Gauge) including a work/repair area to support the hobby. The structure as proposed will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood; and would not be a special privilege as there are other similar developed properties in the area.

Conclusion

Given that there are physical circumstances such as the layout of the residence and existing conditions that prevent the structure from being attached to the residence; and that detached accessory structures are common in the neighborhood and therefore would not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone; and that the proposal is the minimum requested to afford relief given the size is driven by the purpose of the building, staff can support the requested variance.

NEIGHBORHOOD CONTACT (BY APPLICANT)

See the attached neighborhood notifications dated October 12 and November 30, 2017 and the summary of the onsite meeting dated October 30, 2017.

The first notice dated October 12 did not include the minimum information required per *UDC* Section 3.2.2.C.3 *Content of Neighborhood Meeting Notices*. The second notice dated November 30 provided a clarification of the project and the requested variances.

PLANNING & DEVELOPMENT SERVICES RECOMMENDATION

PDSD staff recommends approval of the applicants' requested variance.

It is staff's opinion that there are physical circumstances applicable to the property; and that the proposed detached accessory structure would not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone; and would not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood.

Mark Castro, Lead Planner
for
Russlyn Wells, Acting Zoning Administrator

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